

**LAW OFFICE OF RESHMA KAMATH**

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**COUNSEL FOR DEFENDANTS**

**RUIFENG BIZTECH INC.; GANGYOU WANG;  
ALAN LI; AND, RF BIOTECH LLC.**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

QUINTARA BIOSCIENCES, INC.,  
a California corporation,

Plaintiffs,

v.

RUIFENG BIZTECH INC., a  
California corporation, GANGYOU  
WANG, an individual, ALEX  
WONG, an individual, ALAN LI,  
an individual, RUI SHAO, an  
individual, and RF BIOTECH LLC,  
a California limited liability  
company,

Defendants.

**Case No.: 3:20-cv-04808-WHA**

*[Assigned to presiding Judge Honorable  
William Haskell Alsup]*

**PREVAILING PARTIES' FIRST-  
AMENDED NOTICE OF MOTION  
AND MOTION/REQUEST FOR  
REASONABLE ATTORNEYS' FEES  
PURSUANT TO DEFEND TRADE  
SECRETS ACT [DTSA] PURSUANT  
TO 18 U.S.C. § 1836 *ET SEQ.*;  
REQUESTS FOR COSTS INCURRED  
UNDER FED. RUL. CIV. PROC. RULE  
54 *ET SEQ.* DURING THE COURSE OF  
DEFEND TRADE SECRETS ACT  
LITIGATION**

**HEARING:**

**DATE: SEPTEMBER 14, 2023  
TIME: 08:00 A.M. PDT  
DEP'T: COURTROOM 12, 19<sup>TH</sup>  
FLOOR**

***TO THE HONORABLE COURT, ALL PARTIES, AND ATTORNEYS OF  
RECORD, HEREIN:***

Case No. 3:20-cv-04808-WHA

NOTICE OF MOTION AND MOTION FOR REASONABLE ATTORNEYS' FEES UNDER DTSA

**AMENDED NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that on September 14, 2023, at 08:00 a.m. PDT or as soon thereafter as counsel RESHMA KAMATH may be heard by the above-entitled San Francisco Courthouse, Courtroom 12 – 19th Floor 450 Golden Gate Avenue, San Francisco, CA 94102 before Honorable Judge William Haskell Alsup, the prevailing parties, i.e., Defendants will and hereby move the Court for an award of reasonable attorneys’ fees and costs incurred in the amount of **four, and a half million dollars (\$4.50 million)**. This is pursuant to the “Clerk’s notice rescheduling the motion for attorney fee” verbatim below:

**Docket Text:**

**“CLERK’S NOTICE RESCHEDULING [377] MOTION FOR ATTORNEY FEES: Pursuant to Local Rule 7-2(a), Motion Hearing re [377] Motion For Attorney Fees calendared for 8/24/2023 is vacated and reset for next available calendar date 9/14/2023 08:00 AM in San Francisco, Courtroom 12, 19th Floor before Judge William Alsup. Motion briefing deadlines remain unchanged. (This is a text-only entry generated by the court. There is no document associated with this entry.) (afm, COURT STAFF) (Filed on 7/27/2023)”**

After fourteen days of the unanimous jury verdict on July 13, 2023, at or around 3 p.m. PDT, and the subsequent judgment rendered on the merits, the prevailing parties timely move for an award of reasonable attorneys’ fees on the grounds that the Defend Trade Secrets Act (DTSA) pursuant to 18 U.S.C. section 1836 *et seq.* provides the Court inherent discretion to award reasonable attorneys’ fees to the prevailing parties, i.e., Defendants. The Honorable Court may find with circumstantial evidence subjective and

1 objective bad-faith from the movant, here Plaintiff Quintara, and its attorneys. The  
2 prevailing parties, i.e., Defendants, request an award of fees and costs pursuant to  
3 *Federal Rules of Civil Procedure Rule 54* based on the identical and transferrable fee-  
4 shifting statutes applicable to the DTSA litigation.  
5

6 This motion is based upon the Memorandum of Points & Authorities; the  
7 Declaration of RESHMA KAMATH filed concurrently herewith; the exhibits, records,  
8 documents, pleadings and papers on file or to be filed in the above-entitled action,  
9 arguments of counsel and any other matters that may properly come before the Court for  
10 its consideration.  
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15 **DATED: July 27, 2023**

**LAW OFFICE OF RESHMA KAMATH**

*/s/ Reshma Kamath*

Reshma Kamath, Counsel for Defendants  
RUIFENG BIZTECH INC.; GANGYOU  
WANG; ALAN LI; and, RF BIOTECH LLC

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**CERTIFICATE OF SERVICE**

F.R.C.P. 5 / C.C.P. § 1013(a)(3), C.C.P. § 1010.6(a)(6) / Cal. R. Ct. R. 2.260.

I am employed in, the County of San Mateo, California. I am over the age of 18, and not a party to this action. My business/mailling address is: 700 El Camino Real, Suite 120, #1084, Menlo Park, California 94025, United States; and, e-mail address is reshmakamath2021@gmail.com for electronic-service. On July 27, 2023, I sent the following documents via the below method of service. SEE ATTACHED SERVICE LIST.

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**PREVAILING PARTIES' FIRST-AMENDED NOTICE OF MOTION AND MOTION/REQUEST FOR REASONABLE ATTORNEYS' FEES PURSUANT TO DEFEND TRADE SECRETS ACT [DTSA] PURSUANT TO 18 U.S.C. § 1836 ET SEQ.; REQUEST FOR COSTS INCURRED UNDER FED. RUL. CIV. PROC. 54 ET SEQ. DURING THE COURSE OF DEFEND TRADE SECRETS ACT LITIGATION**

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**CERTIFICATE OF SERVICE.**

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Via **ELECTRONIC SERVICE**: In electronically transmitting courtesy copies of the document(s) listed above to the email address(es) of the person(s) set forth on the attached service list per the electronic service agreement between the parties' counsel. To my knowledge, the transmission was reported as complete and without error. [Notice of Electronic-Service pursuant to California Code of Civil Procedure § 1010.6.]

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I declare under penalty of perjury of the laws of the State of California, and the laws of the United States of America that the foregoing is true and correct. Executed on July 27, 2023.

*Sincerely,*

/S/ Reshma Kamath  
Reshma Kamath

1 **SERVICE LIST**

2 Daniel Robert Peterson  
3 Email: petersond@lilaw.us

4 Richard D Lambert  
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8 J. James Li  
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11 650-521-5956 Fax: 650-521-5955 Email: lij@lilaw.us  
12 ATTORNEY TO BE NOTICED  
13 ATTORNEYS FOR PLAINTIFF QUINTARA BIOSCIENCES, INC.

14 Ting Jiang, LiLaw, Inc./Quintara's Legal assistant  
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